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FAX COVER SHEET

Please deliver the following pages to:

Name: William Frank, Esquire

From: Alan S. Lipman, Esquire

Fax N^o: 888-5606

Number of pages: 5, including this Cover Sheet.

Date: 9/11/13

COMMENTS:

Dear Mr. Frank:

Enclosed to you herewith is the latest correspondence between our Engineer Michael Sandor and the Department of Health.

Thank you.

We are transmitting via an automatic machine. If you do not receive all the pages indicated above or if you have any other problem, please call our main number (845) 294-7944 as soon as possible.

**MJS ENGINEERING &
LAND SURVEYING, PC**

MJS Engineering &
Land Surveying, PC
261 Greenwich Ave.
Goshen, NY 10924
Office: 845-291-8650
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30 August 2013

Mr. Edwin Sims, PE,
Acting Director of Env. Health
Orange County Department of Health
124 Main Street
Goshen, NY 10924

RE: Black Bear Campground, Town of Warwick

Dear Mr. Sims:

Pursuant to our agreement, I would like to provide additional information on the progress being made for the evaluation of the sewer collection and disposal system for the Black Bear Campground in the Town of Warwick.

It is my understanding that the septic system closure that was inadvertently installed on the Neeman property will not be reviewed under the jurisdiction of the New York State Department of Environmental Conservation (NYSDEC) or your office. We will seek approval from the Neemans, as well as the Town of Warwick, to remove the system completely, pursuant to my original letter to the DEC dated July 31, 2013. Please provide me with verification of this fact as we would like to apply to remove this system.

The campground, in conjunction with my staff, has updated the collection system and outfall information and I am enclosing the most up to date information as it relates to this issue.

The following additional items are noted:

I. Town of Warwick Building Department

I have received additional information from the Town of Warwick archives and I am providing copies of that information for your records. That information is as follows:

- A. Site Plan, prepared by Silvers Engineering Associates, dated 9/1/81, and last revised to 12/15/81, which has the following information:

SCANNED

Mr. Edwin Sims, PE
Orange County Department of Health
30 August 2013

1. Percolation and deep tests in the area of the current laundry at the top of the hill, as well as a septic layout showing four (4) lines at 50-feet with a trench width of 3-feet. In the area of the store and lower toilets, there is a new septic system shown with 3 lines at 60-feet. This information seems to correspond with the SPDES Permit that was initially issued in 1980.
- B. Plans by Silvers Engineering Associates, dated 9/11/81 and last revised to 12/15/81, entitled *Sanitary System Black Bear Campground, Lands of Howard Smith and John P. Seekamp*. These plans show the following:
 1. A septic system to service the shop and caretakers apartment in the vicinity of the main entrance.
 2. A seepage pit and septic tank to serve the camp store offices and recreation area.
- C. A *Partial Site Location Plan* of the septic system which serves the Swimming Pool and Bath House adjacent and signed by Matt Schleifer of the Orange County Health Department dated June 19, 1979.
- D. Plans from Pierson Booth, dated June 7, 1965, designed to handle 25 campsites and to discharge into an 8-foot diameter seepage pit, 13.6-feet deep.

This seepage pit was designed to handle 25 campsites at 100 GPD/site.

II. Water Consumption

Mr. Howard Smith has provided us with detailed water consumption versus occupied sites for the period May-October, 2011 and 2012. We are also compiling data up through August 30, 2013, so we have three years of consumption versus occupied site information. This will provide us with a true representation of the sewage flow per site. To this end, we are going to request that the department review this information so that this number can be utilized for the actual flow per site for calculating the loading on the septic systems.

III. SPDES Permit Revisions

We are requesting from the Department and the NYSDEC that the SPDES Permit be revised with the most up to date information as it relates to the detailed topographic and site work which will show the actual campsites, collection system, septic tanks and final disposal locations so that a more accurate representation of the overall campsite is provided.

Mr. Edwin Sims, PE
Orange County Department of Health
30 August 2013

IV. Septic Sizes, vs. Flows

I know it was the department's concern regarding the size and configuration of the various outfalls. To this end, it should be noted that no health department violations exist as it relates to any sewage flow. This has been verified by this office over the last few months. Options at this point are as follows:

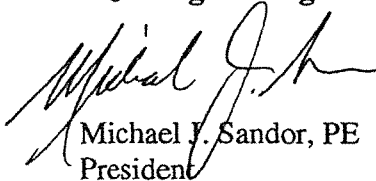
- A. Probe to verify the system size, soil depth, and percolation rates to reverse engineer the outfall points.
- B. Design replacement fields in new locations.

V. Construction/Fire Safety

I have spoken with Mr. Alan Lipman, Esq., as it relates to the Construction and Fire Safety issues which were outlined in your letter of June 26, 2013. This needs to be coordinated directly between the Town of Warwick Building Department and Mr. Smith's attorney.

If you have any questions or require additional information, do not hesitate to contact me.

Very truly yours,
MJS Engineering & Land Surveying, PC



Michael J. Sandor, PE
President

MJS/kg
Enc.

cc: Howard Smith
Alan Lipman •
Manju Cherian, NYSDEC



Edward A. Diana
County Executive

DEPARTMENT OF HEALTH

Eli N. Avila, MD, JD, MPH, FCLM
Commissioner of Health

124 Main Street
Goshen, New York 10924-2199

Environmental Health (845) 291-2331
Fax: (845) 291-4078

September 4, 2013

MJS Eng. & L.S., P.C.
261 Greenwich Ave.
Goshen, NY 10924

Attention: Michael J. Sandor, P.E.

Re:
Black Bear Campground
T. Warwick

Dear Mr. Sandor:

In reply to your letter dated 8/30/13, this office will not be reviewing the closure plan for the septic system located on the Neeman property. We consider this to be a matter between Black Bear Campground, the Neemans, and perhaps the Town of Warwick.

We will continue to review your weekly updates until all other matters regarding the on-site water supply and sewage disposal matters have been satisfactorily addressed. We will expect closure of this matter prior to 12/31/13 so that issuance of an operating permit for 2014 will not be jeopardized due to this matter.

Very truly yours,

Edwin L. Sims, P.E.
Acting Dir. of Env. Health/
Principal Public Health Engineer

ELS/ajc

cc: Howard Smith ✓
Alan Lipman
Manju Cherian, NYSDEC
T. Warwick Bldg. Insp.
File (2)